

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01362  
Hon. David A. Faber

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG  
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01665  
Hon David A. Faber

**DISTRIBUTOR DEFENDANTS' MOTION TO COMPEL  
FURTHER DISCOVERY RESPONSES**

Pursuant to Rules 33, 34, and 37 of the Federal Rules of Civil Procedure, Defendants AmerisourceBergen Drug Corporation, Cardinal Health, Inc., and McKesson Corporation (collectively, "Distributor Defendants"), through their undersigned counsel, hereby move for an order compelling plaintiffs City of Huntington and Cabell County Commission (collectively, "Plaintiffs") to promptly provide full, complete, and responsive answers to Distributor Defendants' discovery requests so that there can be a meaningful opportunity to take the fact discovery needed to test their respective claims. Distributor Defendants' motion should be granted for the reasons given in the accompanying memorandum of law, which is incorporated here. Pursuant to LR Civ P 7.1(a), copies of all documents, affidavits, and other such materials or exhibits referenced in the

memorandum and upon which this motion relies are attached to this motion. The Distributor Defendants further certify that they have conferred with counsel for the Plaintiffs in an effort to resolve the discovery dispute without court intervention.

Dated: January 31, 2020

Respectfully Submitted,

***McKesson Corporation***

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**CERTIFICATE OF SERVICE**

The undersigned counsel hereby certifies that on this 31st day of January, the foregoing **“Distributor Defendants’ Motion to Compel Further Discovery Responses”** was served using the Court’s CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Jeffrey M. Wakefield  
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